



**Eric Gonzalez**  
District Attorney

**DISTRICT ATTORNEY  
KINGS COUNTY**

350 JAY STREET  
BROOKLYN, NY 11201-2908  
(718) 250-2000  
WWW.BROOKLYNDA.ORG

**MICHELLE PARK**  
Assistant District Attorney

June 22, 2021



In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: JUSTIN SIMMS**

**MOS TAX: 937542**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. In addition to any information provided below, disciplinary information regarding this officer may exist online at the following websites: <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>, <https://nypdonline.org/link/13>, and <https://www.50-a.org>. The People make no representation regarding the accuracy of any information contained on these websites. In addition, the People have provided all lawsuits known to the People through NYPD documents, the NYC Law Department's public website of civil suits filed against officers (<https://www1.nyc.gov/site/law/public-resources/nyc-administrative-code-7-114.page>), and orally relayed to the People by officers. Please note that additional cases may or may not exist on the following public websites: <https://pacer.uscourts.gov/>, <https://iapps.courts.state.ny.us/webcivil/FCASMain>; and <https://iapps.courts.state.ny.us/nyscef/Login>. The People reserve the right to object to the use or introduction of any or all disclosures provided below and any other potential impeachment information.

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**Disclosure # 1:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 08/06/2007, AGAINST MOS SIMMS:  
ALLEGATION:

1. DEPARTMENT RULES VIOLATIONS – ABUSE OF SICK LEAVE

CASE STATUS: CLOSED ON 01/21/2008

ACTION TAKEN: CHARGES AND SPECIFICATIONS

THE NYPD ISSUED THE FOLLOWING CHARGES AND SPECIFICATIONS BASED ON THE ALLEGATIONS:  
ALLEGATIONS:

1. MOS SIMMS, WHILE ASSIGNED TO THE 33<sup>RD</sup> PRECINCT, IN QUEENS COUNTY, WAS WRONGFULLY AND WITHOUT JUST CAUSE ABSENT FROM SAID RESIDENCE WITHOUT PERMISSION OF SAID MOS'S DISTRICT SURGEON AND/OR THE MEDICAL DIVISION SICK DESK SUPERVISOR.
2. MOS SIMMS, WHILE ASSIGNED TO THE 33<sup>RD</sup> PRECINCT, IN QUEENS COUNTY, WAS WRONGFULLY AND WITHOUT JUST CAUSE ABSENT FROM THE CONFINES OF NEW YORK CITY OR RESIDENCE COUNTIES WITHOUT PERMISSION OF SAID DISTRICT SUREGON AND/OR THE MEDICAL DIVISION SICK DESK SUPERVISOR, IN THAT HE WAS IN VERMONT.
3. MOS SIMMS, WHILE ASSIGNED TO THE 33<sup>RD</sup> PRECINCT, IN QUEENS COUNTY, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT. TO WIT: SAID MOS DID FAIL AND NEGLECT TO RETURN TELEPHONE CALLS TO THE MEDICAL DIVISION.

4. MOS SIMMS, WHILE ASSIGNED TO THE 33<sup>RD</sup> PRECINCT, IN QUEENS COUNTY, HAVING CHANGED SAID MOS'S RESIDENCE, DID FAIL AND NEGLECT TO NOTIFY SAID MOS'S COMMANDING OFFICER BY SUBMITTING FORM CHANGE OF NAME, RESIDENCE OR SOCIAL CONDITION AS REQUIRED.

DISPOSITION: MOS PLEAD GUILTY TO CHARGES 1-4

CASE STATUS: CLOSED ON 07/20/2010.

ACTION TAKEN: FORFEITURE OF THIRTY (30) VACATION DAYS.

**Disclosure #2:**

THE NYPD ISSUED THE FOLLOWING ALLEGATION(S), DATED 09/12/2007, AGAINST MOS SIMMS:

ALLEGATION:

LOSS OF I.D. CARD

MOS STATED WALLET W/ID CARD WAS PLACED IN LOCKER AT GYM. WHEN MOS RETURNED AFTER WORKING OUT UNKNOWN PERP REMOVED WALLET. PROPERTY WAS SECURED IN LOCKER WITH MASTER LOCK.

DISPOSITION: INVESTIGATION REVEALED NO NEGLIGENCE ON PART OF MOS

ACTION TAKEN: NEW I.D. CARD ISSUED

**Disclosure # 3:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 11/28/2012, AGAINST MOS SIMMS:

ALLEGATION:

1. MISSING PROPERTY – FOUND NOT POLICE DEPARTMENT ITEM
2. ON AUGUST 19, 2011, MOS SIMMS AND ANOTHER OFFICER RESPONDED TO A 911 CALL PLACED BY A WOMAN WHO SAID SHE FOUND A MISSING BACKPACK. THE OWNER OF THE BACKPACK CONTACTED THE WOMAN WHO STATED SHE FOUND IT, AND THE WOMAN TOLD THE OWNER THE OWNER SHOULD GO TO THE 33<sup>RD</sup> PRECINCT. THE WOMAN WAS INTERVIEWED BY THE NYPD ABOUT THE INCIDENT AND CONTRADICTED HERSELF NUMEROUS TIMES ABOUT THE DETAILS OF TURNING THE BACKPACK OVER TO POLICE, BUT STATED SHE DID TURN IT OVER, THE OWNER OF THE BACKPACK STATED THAT HE RECOGNIZED THE MENTAL INSTABILITY OF THE WOMAN AND THAT THE OWNER WAS NOT AT ALL CONFIDENT THE WOMAN TURNED IT OVER TO POLICE, THE OWNER STATED THERE WAS NO JEWELRY, CASH, CREDIT CARDS, OR OTHER VALUABLES IN THE BACKPACK.

CLOSED:11/28/12

**Disclosure # 4:**

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 04/19/2018, AGAINST MOS SIMMS:

ALLEGATION(S):

1. FAIL TO NOTIFY – INTERNAL AFFAIRS BUREAU
2. MOS SIMMS FAILED TO NOTIFY INTERNAL AFFAIRS BUREAU OF AN ALLEGATION OF MISCONDUCT BY ANOTHER OFFICER

CASE STATUS: CLOSED ON 12/03/2019

ACTION TAKEN: SCHEDULE 'A' COMMAND DISCIPLINE ISSUED

**Disclosure # 5:**

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 03/29/2019, AGAINST MOS SIMMS:

ALLEGATION(S):

1. INVOICE DISCREPANCY – BANK DROP – OVERAGE
2. REPORT INCOMPLETE/INACCURATE – PROPERTY CLERK INVOICE

DISPOSITION: SUBSTANTIATED/MINOR PROCEDURAL VIOLATION

CASE STATUS: CLOSED ON 05/17/2019

ACTION TAKEN: VERBAL OF INSTRUCTIONS.

**Disclosure # 6:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, DATED 10/17/20, AGAINST MOS SIMMS:

1. MISSING PROPERTY - FROM PERSON - MOTORIST ONLY

2. FAIL TO PREPARE REPORT - PROPERTY CLERK INVOICE
  3. MEMOBOOK INCOMPLETE/IMPROPER
- CASE CLOSED ON 12/18/2020  
ACTION TAKEN: SCHEDULE 'A' COMMAND DISCIPLINE

**Disclosure #7:**

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Richard Bacquie	17-CV-05390	E.D.N.Y.	10-13-17	10-02-18	Settlement, without admission of fault or liability
Gaspar Perez	506052/2015	Kings Co. Sup. Ct.	05/21/2015	Unknown	<i>Pending, next on unknown (last online entry 09-03-19).</i>

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH MAY 07, 2021, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:**

**Disclosure # 8:**

CCRB CASE: 201407753  
REPORT DATE: 07/30/2014  
INCIDENT DATE: 07/21/2014  
CCRB SUBSTANTIATED ALLEGATION(S):  
1. ABUSE - PREMISES ENTERED AND/OR SEARCHED  
NYPD DISPOSITION: FORMALIZED TRAINING

**Disclosure # 9:**

CCRB CASE: 201603074  
REPORT DATE: 04/09/2016  
INCIDENT DATE: 04/03/2016  
OTHER MISCONDUCT NOTED:  
1. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMO BOOK ENTRY

**Disclosure #10:**

CCRB CASE: 201902274  
REPORT DATE: 03/14/2019  
INCIDENT DATE: 03/14/2019  
CCRB SUBSTANTIATED ALLEGATION(S):  
1. ABUSE – FRISK  
NYPD DISPOSITION: FORMALIZED TRAINING

Eric Gonzalez  
District Attorney  
Kings County